

20080825000341200 1/3 \$24.00
Shelby Cnty Judge of Probate, AL
08/25/2008 04:13:46PM FILED/CERT

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

R. Shan Paden
Paden & Paden, P.C.
Five Riverchase Ridge
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

Thomas J. McQuillan
500 Park Lake Lane
Helena, Alabama 35080-3292

STATE OF ALABAMA

COUNTY OF SHELBY

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP
STATUTORY WARRANTY DEED**

Know All Men by These Presents: That in consideration of SIX THOUSAND EIGHT HUNDRED AND 00/100 DOLLARS (\$6,800.00) to the undersigned grantor, RIVERWOODS PROPERTIES, LLC, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto THOMAS J. MCCQUILLAN AND WIFE, SHERRI A. MCQUILLAN, (herein referred to as GRANTEES, as joint tenants, with right of survivorship, whether one or more) the following described real estate, situated in **SHELBY** County, Alabama, to-wit:

A PARCEL OF LAND BEING CONTIGUOUS WITH AND ALONG THE EASTERLY LINE OF LOT 418, ACCORDING TO THE FINAL PLAT OF RIVERWOODS, FOURTH SECTOR, PHASE I, AS RECORDED IN MAP BOOK 30, PAGE 81 IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA AND ALSO BEING SITUATED IN THE SOUTHEAST ¼ OF SECTION 17, TOWNSHIP 20 SOUTH, RANGE 3 WEST.

BEGIN AT THE NORTHEAST CORNER OF SAID LOT 418 AND RUN IN A SOUTHERLY DIRECTION ALONG THE EASTERLY LINE OF SAID LOT 418 A DISTANCE OF 127.11 FEET TO THE SOUTHEAST CORNER OF SAID LOT 418; THENCE 92 DEGREES 01' 20" TO THE LEFT IN AN EASTERLY DIRECTION A DISTANCE OF 10.79 FEET TO A POINT; THENCE 87 DEGREES 58' 40" TO THE LEFT IN A NORTHERLY DIRECTION A DISTANCE OF 10.33 FEET TO A POINT; THENCE 90 DEGREES 00' 00" LEFT IN A WESTERLY DIRECTION A DISTANCE OF 8.99 FEET TO A POINT; THENCE 95 DEGREES 38' 33" TO THE RIGHT IN A NORTHERLY DIRECTION A DISTANCE OF 29.24 FEET TO A POINT; THENCE 4 DEGREES 55' 05" TO THE LEFT A DISTANCE OF 42.15 FEET TO A POINT; THENCE 7 DEGREES 17' 28" TO THE LEFT A DISTANCE OF 45.46 FEET TO THE POINT OF BEGINNING.

CONTAINING 533 SQUARE FEET OR 0.012 ACRE.

SUBJECT TO:

1. Taxes for the year 2008 and subsequent years.
2. Easements and building line as shown on recorded map.
3. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including release of damages, are not insured herein.

4. Right-of-way granted to Alabama Power Company recorded in Instrument No. 2002-46365.
5. Restrictions and covenants appearing of record in Instrument No. 2002-7338 and Instrument No. 1996-2205.
6. Right-of-way granted to Alabama Power Company recorded in Deed Volume 127, Page 442.
7. Right-of-way granted to South Central Bell Telephone Company recorded in Shelby Real 116, Page 275.
8. Right-of-way granted to Southern Natural Gas Corporation as recorded in Instrument No. 2001-54741.
9. Easement granted to Southern Natural Gas Company as recorded in Instrument No. 2001-54741.

This conveyance is made upon the covenant and condition that no right of action for damages on account of injuries to the real estate herein conveyed or to any buildings, improvements, structures, pipelines, or other sources of water supply or sewer now or hereafter located upon said real estate, or to any owners or occupants or other persons in or upon said real estate, resulting from sinkholes or other defects of the surface or subsurface of any nature affecting said real estate or resulting from past mining and/or gas or oil producing operations or resulting from past blasting, dewatering, or the past removal of coal, iron ore, gas, oil, methane, hydrocarbons, occluded natural gas, coalbed methane gas, gob gas, limestone and all other minerals and non-mineral substances, including, water associated with the production of coalbed methane gas, or coal seam or other roof supports whether said past mining and/or gas or oil producing operations be in said real estate or other lands, shall ever accrue to or be asserted by Grantee or by Grantee's successors in title, this conveyance being made expressly subject to all such injuries, either past or future, and this condition shall constitute a covenant running with the land as against Grantee and all successors in title.

By acceptance of this deed and as a condition of the conveyance hereunder, Grantee acknowledges and agrees that the physical and environmental condition of the real estate herein conveyed has been inspected by Grantee or Grantee's duly authorized agent and that said real estate is acquired by Grantee as a result of such inspection and not upon any agreement, representation, or warranty made by Grantor. Furthermore Grantee, and on behalf of his successors and assigns, agrees to accept said real estate in its existing condition, including any existing physical and environmental conditions, and to release Grantor from any and all liabilities under any local, state, or federal laws, rules, regulations, ordinance or other liability relating to the physical and environmental condition of said real estate.

TO HAVE AND TO HOLD unto the said GRANTEES as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in the event one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee, and if one does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

IN WITNESS WHEREOF, the said KENDALL ZETTLER as VP of PZ, INC., managing member of RIVERWOODS PROPERTIES, LLC, has hereunto subscribed his name on this the 21st day August, 2008.

RIVERWOODS PROPERTIES, LLC



KENDALL ZETTLER
VP OF PZ, INC., MANAGING MEMBER

STATE OF ALABAMA)
COUNTY OF SHELBY)

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ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that KENDALL ZETTLER, whose name as VP OF PZ, INC., Managing Member, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he or she, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand this the 21st day of August, 2008.

Karin M. Foster
Notary Public

My commission expires: 12-28-2010

Shelby County, AL 08/25/2008
State of Alabama

Deed Tax: \$7.00